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Attorneys for Plaintiff and the Class

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA**

**CLAIRE C. HAGGARTY**, individually  
and on behalf of all others similarly situated,

Plaintiff,

vs.

**STRYKER ORTHOPAEDICS (aka  
STRYKER ORTHOPEDICS; aka  
STRYKER ORTHOPEDICS, INC.);  
HOWMEDICA OSTEONICS  
CORPORATION; STRYKER  
CORPORATION; and STRYKER SALES  
CORPORATION,**

Defendants.

Case No. CV-08-01609 JSW

**STIPULATION AND ~~PROPOSED~~  
ORDER FOR MODIFICATION OF  
CASE MANAGEMENT ORDER**

1 WHEREAS, on December 21, 2008, the parties filed a Joint Case Management  
2 Statement and Proposed Case Management Order.

3 WHEREAS, the parties filed the Joint Case Management Statement and Proposed  
4 Case Management Order based on the filing of the original Complaint filed in the matter.

5 WHEREAS, on January 7, 2009, the Court entered an Order which stated in part:  
6 “The case management (*sic*) set to follow the hearing is VACATED and shall be reset, if  
7 necessary, by further order.”

8 WHEREAS, on January 7, 2009, the Court granted Defendant’s motion to dismiss  
9 Plaintiff’s complaint, with leave to amend the complaint.

10 WHEREAS, on February 6, 2009, Plaintiff filed an amended complaint.

11 WHEREAS, on February 26, 2009, Defendants filed a motion to dismiss, with the  
12 motion currently set for May 1, 2009.

13 WHEREAS, beginning on March 11, 2009, the parties have been working together  
14 to modify the submitted Joint Case Management And Proposed Case Management Order  
15 in the event the filed motion to dismiss is denied.

16 WHEREAS, on March 12, 2009, the Court signed a Joint Case Management And  
17 Proposed Case Management Order.

18 WHEREAS, pursuant to the Joint Case Management And Proposed Case  
19 Management Order set the filing deadline for class certification briefing for March 13,  
20 2009.

21 WHEREAS, based on the Court’s vacating of the case management hearing, the  
22 parties have not conducted any class certification discovery to date.

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Counsel report that they have met and conferred regarding the Case Management Order and have reached the following stipulation pursuant to Civil L.R. 16-8:

The parties agree to following modified schedule

April 13, 2009	Fed. R. Civ. P. 26(a) Disclosures:
April 13, 2009	Last date to Amended Pleadings:
August 3, 2009	Date on which discovery on class issues will be complete
August 17, 2009	Last date for plaintiffs to file a motion for class certification
September 14, 2009	Last date for defendants to file opposition to plaintiffs motion for class certification
September 28, 2009	Last date for plaintiffs to file reply brief in support of motion for class certification
October 16, 2009 at 9:00 a.m.	Last day to hear motion for class certification
December 31, 2009	Last date to complete fact discovery
January 29, 2010	Last date to file plaintiffs' expert reports
March 4, 2010	Last date to file defendants' expert reports
May 14, 2010	Last day to hear dispositive motions

June 28, 2010

Pretrial Conference

~~July 12, 2010~~

Trial

July 19, 2010 at 8:00 a.m.

Dated: March 13, 2009

**COTCHETT, PITRE & McCARTHY**

By                     /S/                      
ARA JABAGCHOURIAN  
*Attorneys for Plaintiff Claire C. Haggarty and  
the Class*

Dated: March 13, 2009

**KASOWITZ, BENSON, TORRES &  
FRIEDMAN LLP.**

By                     /S/                      
WILLIAM M. GOODMAN  
*Attorneys for Defendants*

PURSUANT TO STIPULATION, IT IS SO ORDERED

Dated: March 16, 2009

  
The Honorable Jeffery S. White